



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

January 31, 2019

(Via email and Certified Mail)

CERTIFIED MAIL

NO. 7018 0680 0000 1017 6465

Captain Mark W. Ratekin
Facilities Manager
Kern County Fire Department
5642 Victor Street
Bakersfield, California 93308
mratekin@kerncountyfire.org

**SUBJECT: FAILURE TO COMPLY; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT KERN COUNTY FIRE STATION NO. 66, 3000 LANDCO DRIVE,
BAKERSFIELD**

Dear Mr. Ratekin:

As of the date of this letter, the State Water Resources Control Board (State Water Board) has not received a complete response to our November 20, 2018 Notice of Violation (NOV)(attached). You are directed to correct the ongoing violations identified in the NOV and submit compliance documentation to the State Water Board and Kern County Public Health Services Department within ten (10) days from the date of this letter.

Please send all compliance documentation to the following:

State Water Board

Mr. Will Speth
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
will.speth@waterboards.ca.gov

Local CUPA

Mr. Bilal Korin
Supervising Environmental Health Specialist
Kern County Public Health
Services Department
2700 M Street, Suite 300
Bakersfield, California 93301
korinb@kerncounty.com

Failure to comply with this notice may result in an enforcement action by the State Water Board. The State Water Board reserves the right to bring an action against the owner and/or operator of the tank(s) in violation, or it may recommend that Kern County Public Health Services Department pursue enforcement, or Kern County Public Health Services Department may elect to pursue enforcement independently.

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

If you have any questions, please contact me at (916) 341-5891, or by email at matthew.buffleben@waterboards.ca.gov.

Sincerely,



Dr. Matthew Buffleben
Supervising Water Resource Control Engineer
Acting Supervisor, UST Enforcement Unit
Office of Enforcement

Attachment: November 20, 2018 Notice of Violation

cc: *(via email only)*

Mr. Bilal Korin
Supervising Environmental Health Specialist
Kern County Public Health
Services Department
korinb@kerncounty.com

Captain Mark Ratekin
Facilities Manager
Kern County Fire Department
mratekin@kerncountyfire.org



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

November 20, 2018

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7018 0680 0000 1017 5093

Captain Mark W. Ratekin
Facilities Manager
Kern County Fire Department
5642 Victor Street
Bakersfield, California 93308
mratekin@kerncountyfire.org

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT KERN COUNTY FIRE STATION NO. 66, 3000 LANDCO DRIVE,
BAKERSFIELD**

Dear Mr. Ratekin:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on November 1, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Perform Overfill Prevention Inspection – The overfill prevention inspection demonstrating overfill equipment will activate at the correct level was due by October 13, 2018.	All	October 13, 2018	Ongoing	23 CCR 2637.2
2	Failure to Maintain Monitoring Plan – In CERS under pipe monitoring, the Veeder-Root leak sensor model for the diesel tank system lists “857080-102”; however, this model is a magnetostrictive discriminating sensor for gasoline only. The model number for diesel only is “857080-112”.	Diesel	November 1, 2018	Ongoing	H&SC 25286(a); 23 CCR 2711(a)

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FELICIA MAROUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

No.	Violation	Tank	Start Date	Stop Date	Regulation
3	Failure to Maintain Monitoring Plan – In CERS, the monitoring plan must be updated because it lists an employee no longer working for Kern County as having personnel responsibilities.	All	November 1, 2018	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2711(a)(9)
4	Failure to Maintain Release Response Plan – In CERS, the release response plan must be updated because it lists an employee no longer working for Kern County as the person responsible.	All	November 1, 2018	Ongoing	23 CCR 2632(d)(2)(B), 2634(e)
5	Failure to Maintain Financial Responsibility – The Statement of Self-Insurance letter in CERS, dated July 1, 2018, does not include the required passing financial test of self-insurance. If self-insurance is the current mechanism being used, the Chief Financial Officer letter must be updated within 120 days after the close of each fiscal year, along with passing financial test of self-insurance.	All	November 1, 2018	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)
6	Failure to Maintain Plot Plan/Site Map – In CERS, the site map does not include the location of underground piping for the UST system.	All	November 1, 2018	Ongoing	23 CCR 2711(a)(8)
7	Failure to Monitor Tank System – The Veeder-Root TLS-350 monitoring system was not functioning, and the tank system was not being monitored.	All	July 3, 2017	August 2, 2018	H&SC 25291; 23 CCR 2630(d) and 2638(a)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Kern County Public Health Services Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violation has been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Will Speth
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
will.speth@waterboards.ca.gov

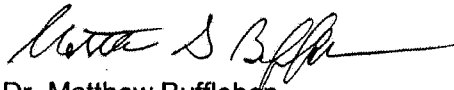
Local CUPA

Mr. Bilal Korin
Supervising Environmental Health Specialist
Kern County Public Health Services
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2700 M Street, Suite 300
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If you have any questions, please contact me at (916) 341-5891, or by email at matthew.buffleben@waterboards.ca.gov.

Sincerely,



Dr. Matthew Buffleben
Supervising Water Resources Control Engineer
Acting Supervisor, UST Enforcement Unit
Office of Enforcement

cc: *(via email only)*

Mr. Bilal Korin
Supervising Environmental Health Specialist
Kern County Public Health Services Department
korinb@kerncounty.com

Mr. Waqar Rustam
Environmental Health Specialist
Kern County Public Health Services Department
rustamw@kerncounty.com

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